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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

APPLICANTS: Battin et al. EXAMINER: Bhatia, Ajay M.
SERIAL NO.: 09/887,831 GROUP: 2145
FILED: June 22, 2001 CASE NO.: CE08914R
TITLED: METHOD AND APPARATUS FOR TRANSMITTING DATA IN A
COMMUNICATION SYSTEM

Motorola, Inc.
Corporate Offices
1303 E. Algonquin Road
Schaumburg, IL 60196
November 6, 2006

Certificate of Mailing

Date of deposit: November 6, 2006

I hereby certify that this paper is being transmitted on the date indicated
above, to the Assistant Commissioner for Patents, Alexandria, VA.

Nanette Orr
Signature of Person Mailing Paper

Nanette Orr
Printed Name of Person Mailing Paper

**PETITION TO WITHDRAW NOTICE OF ABANDONMENT
UNDER 37 CFR 1.181**

MAIL STOP: ISSUE FEE
Commissioner of Patents
Alexandria, VA 22313-1450

Sir:

Applicants respectfully petition under 37 CFR 1.181 that the Notice of
Abandonment mailed on October 30, 2006 for the application captioned above be
withdrawn.

This Petition to Withdraw the Notice of Abandonment is being filed within one
month of receiving the Notice of Abandonment from the United States and Trademark
Office ("Office"). The Office abandoned the above captioned application because it
believes that the Applicants failed to timely pay the required issue fee and publication fee
mailed on May 23, 2006. The facts are as follows:

- (1) The Office mailed Notice of Allowance and Fee(s) Due on May 23, 2006;
- (2) The Applicants replied to the Office letter dated May 23, 2006 on June 5, 2006 via facsimile (a copy of Part B – Fee Transmittal Letter submitted is enclosed); and
- (3) Applicants received confirmation that the Office received the Fee Transmittal Letter on June 5, 2006. (A copy of the Auto-Reply Facsimile Transmission is enclosed).
- (4) The Office mailed a Notice of Abandonment letter on October 30, 2006 stating that the Applicants failed to timely file a proper reply to the Office letter mailed on May 23, 2006.

As outlined above, on June 5, 2006, the Applicants timely filed a proper reply to the Office letter mailed on May 23, 2006. A copy of the reply sent by facsimile by Applicants on June 5, 2006 along with an Auto-Reply Facsimile Transmission received from the Office verifying receipt of the reply is enclosed for your review. As a result, Applicants respectfully petition that the Notice of Abandonment be withdrawn and the application captioned above be revived as a pending application.

The petition fee set forth in 37 CFR 1.17 is hereby authorized to be charged to deposit account no. 502117. Please charge any additional fee or credit any overpayment to same.

Respectfully submitted,
Battin et al.

By: 

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Attorney for Applicants
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Email: Simon.Anolick@motorola.com

Auto-Reply Facsimile Transmission



TO:

Fax Sender at 18475763533

Fax Information

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6/5/2008 12:21:10 PM [Eastern Daylight Time]

1 (Including cover page)

ADVISORY: This is an automatically generated return receipt confirmation of the facsimile transmission received by the Office. Please check to make sure that the number of pages listed as received in Total Pages above matches what was intended to be sent. Applicants are advised to retain this receipt in the unlikely event that proof of this facsimile transmission is necessary. Applicants are also advised to use the certificate of facsimile transmission procedures set forth in 37 CFR 1.8(e) and (b), 37 CFR 1.6(f). Trademark Applicants, also see the Trademark Manual of Examining Procedure (TMPEP) section 306 et seq.

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